

Jan 27, 2020

SEAN F. MCAVOY, CLERK

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

MICHAEL C. RADVANYI,

Petitioner,

v.

SUPERIOR COURT JUDGE STINE,

Respondent.

No. 2:19-cv-00379-SMJ

**ORDER DISMISSING ACTION**

By Order filed November 12, 2019, the Court directed Petitioner Michael C. Radvanyi, then a pretrial detainee at Spokane County Detention Services, to either pay the \$5.00 filing fee to commence this action, or submit a completed application to proceed *in forma pauperis*. ECF No. 6 at 5–6. The Court also directed Petitioner to show cause why this action should not be dismissed as premature and for failure to exhaust state court remedies. ECF No. 6 at 6. The Court cautioned that failure to do so would result in the dismissal of this action.

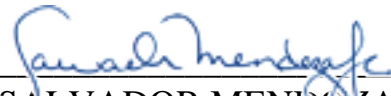
On November 18, 2019, Petitioner submitted a letter referencing case number 2:19-cv-00379-SMJ, and stated, “I did not file this complaint I have no idea what it is for. Please send paper work on it and let me know whom filed it. How much did it cost, who pays for that?” ECF No. 9. Petitioner has neither cured the filing fee

1 deficiency in this case nor shown cause why this action should not be dismissed.

2 Accordingly, **IT IS ORDERED** this action is dismissed without prejudice  
3 for failure to comply with Rule 3(a), Rules Governing Section 2254 Cases in the  
4 United States District Courts.

5 **IT IS SO ORDERED.** The Clerk's Office is directed to enter this Order,  
6 enter judgment, provide copies to Petitioner, and close the file. The Court certifies  
7 that, pursuant to 28 U.S.C. § 1915(a)(3), an appeal from this decision could not be  
8 taken in good faith and there is no basis upon which to issue a certificate of  
9 appealability. *See* 28 U.S.C. § 2253(c); Fed. R. App. P. 22(b). A certificate of  
10 appealability is therefore **DENIED**.

11 **DATED** this 27th day of January 2020.

12   
13 SALVADOR MENDEZ, JR.  
United States District Judge